

Message Text

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ORIGIN EB-07

INFO OCT-01 NEA-10 ISO-00 FAA-00 DOTE-00 /018 R

DRAFTED BY FAA/AIA-130:ELJETT/EB/OA/AVP:JKGORDON:PMA

APPROVED BY EB/OA/AVP:AJWHITE

NEA/PAB:PLANDE

----- 074264

O R 232237Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY DACCA IMMEDIATE

INFO FAA HONOLULU HI

C O N F I D E N T I A L STATE 236710

E.O. 11652: GDS

TAGS: EAIR, BG

SUBJECT: FAA ASSISTANCE IN ACCIDENT INVESTIGATION

REF: STATE 234237

1. FAA WASHDC ADVISED CHING BY PHONE ON 22 SEPT. (EARLY A.M.) THAT HE:

A) COULD PARTICIPATE IN INVESTIGATION ONLY IN CAPACITY OF OBSERVER/ADVISOR AND PROVIDE ASSISTANCE WITHIN HIS TECHNICAL CAPABILITIES;

B) SHOULD NOT ACCEPT ANY LEAD ROLE IN INVESTIGATION OR ASSUME RESPONSIBILITY FOR PREPARING ACCIDENT REPORT;

C) SHOULD NOT MAKE ANY STATEMENTS REGARDING PROBABLE CAUSE OF ACCIDENT OR DISCUSS MATTERS RELATING TO COMPETENCE OR

POSSIBLE DEFICIENCIES IN AIRCRAFT AIRWORTHINESS OR DESIGN.

2. IN SECOND TELECON ON SEPT 22 (LATE P.M.), CHING ADVISED BDG AVIATION AUTHORITIES HAD COMPLETED THEIR OWN INVESTIGATION AND FINDINGS, BUT WISHED FAA (CHING) TO MAKE AN INDEPENDENT INVESTIGATION AND SUBMIT SEPARATE REPORT OF
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FINDINGS. CHING WAS ADVISED THAT HE SHOULD NOT ACCEPT THIS

RESPONSIBILITY.

3. ABOVE FAA GUIDANCE BASED ON FOLLOWING:

A) AIRCRAFT MANUFACTURED IN NEW ZEALAND AND APPARENTLY

NEITHER GNZ AVIATION AUTHORITIES NOR MANUFACTURER'S REP PARTICIPATED IN BDG INVESTIGATION;

B) FAA DOES NOT HAVE EXPERT AERONAUTICAL/ENGINEERING KNOWLEDGE OF AIR TOURER T-6 AIRCRAFT;

C) FAA HAS NO OBLIGATION OR AUTHORITY IN THIS CASE. UNDER ARTICLE 26 OF CHICAGO CONVENTION, AND ICAO ANNEX 13 (CHAP V), BDG AS STATE OF OCCURRENCE/REGISTRY, WITH POSSIBLE ASSISTANCE FROM GNZ AS STATE OF MANUFACTURE, HAS CUSTOMARY RESPONSIBILITY FOR INVESTIGATING THIS ACCIDENT, AND FOR PREPARING REPORT.

D) WE CONSIDER SITUATION SENSITIVE, WITH POTENTIAL TO EMBARRASS OR OPEN FAA TO CRITICISM, IF FAA CONDUCTS ITS OWN SEPARATE INVESTIGATION. UNWARRANTED REPORT ON NEW ZEALAND-MADE AIRCRAFT, DIFFERING FINDINGS, OR CONFLICT

WITH POSSIBLE WHITEWASH ARE AMONG POSSIBLE DRAWBACKS.

4. DEPARTMENT WOULD APPRECIATE THE EMBASSY'S MAKING OUR CONCERNS CLEAR TO THE BDG. IF THE BDG CANNOT AGREE TO LIMITATION OF FAA'S ROLE, UNLESS THE EMBASSY IS AWARE OF ANY OVERRIDING REASON TO HAVE CHING EXCEED LIMITS SPECIFIED IN PARAGRAPH ONE ABOVE, THE EMBASSY SHOULD INDICATE THAT FAA IS UNABLE TO BE OF ASSISTANCE AND CHING IS TO RETURN TO GUAM. ROBINSON

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Message Attributes

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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
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